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**DECLARATION FOR CONTINUATION-IN-PART APPLICATION AND
POWER OF ATTORNEY**

(Includes reference to PCT International Applications)

FROMMER LAWRENCE & HAUG LLP

File No.: 540579-2007.1

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe we are original, first and joint inventors (if plural, names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention

ENTITLED:

**GENES ASSOCIATED WITH MECHANICAL STRESS, EXPRESSION
PRODUCTS THEREFROM, AND USES THEREOF**

the specification of which:

is attached hereto and which is a Continuation-in-Part of Application Serial No. 09/729,485 which was filed on December 4, 2000.

☒ was filed on March 8, 2001 as:

United States Application Serial No. 09/802,318, with Amendments through date even herewith

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code § 119 (a) - (d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>	Priority Claimed:
			<u>Yes</u> <u>No</u>

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

We hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or § 365 (c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

<u>U.S. Serial No.:</u>	<u>Filed (Day/Month/Year)</u>	<u>PCT Application No.</u>	<u>Status</u>
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09/632,862	4 August, 2000		Pending
09/729,485	4 December, 2000		Pending

We hereby appoint Edgar H. Haug, Reg. No. 29,309, Thomas J. Kowalski, Reg. No. 32, 147 and FROMMER LAWRENCE & HAUG LLP or their duly appointed associates, our attorneys or agents, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and to insert the Serial Number of the application in the space provided above, and specify that all communications about the application are to be directed to the following correspondence address:

Edgar H. Haug, Esq.
FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151
FAX (212) 588-0500

Direct all telephone calls to: (212) 588-0800
to the attention of:
Thomas J. Kowalski, Esq.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



17 June 2001

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Segel

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None.